

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

DAN JENKINS

JUDGMENT INCLUDING SENTENCE
UNDER THE SENTENCING REFORM ACT

CASE NUMBER: CR-04-1081 (ARR)

DANIEL J. OLLEN, ESQ
20 VESEY STREET, SUITE 1200
NEW YORK, NEW YORK 10007

Defendant's Attorney & Address

THE DEFENDANT:

XXX pleaded guilty to count one of the indictment.

_____ was found guilty on counts

Accordingly, the defendant is ADJUDGED guilty of such count(s), which involve the following offenses:

TITLE & SECTION

18 USC 35(b)

NATURE & OFFENSE

THREATENING COMMUNICATION

COUNT NUMBER(S)

ONE (1)

The defendant is sentenced as provided in pages 2 through _____ of this Judgment.
The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

_____ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).

_____ Remaining counts are dismissed on the motion of the United States.

XXX It is ordered that the defendant shall pay to the United States a special assessment of \$100.00 which shall be due XXX immediately _____ as follows:

It is further ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec # 1

Defendant's Date of Birth 7/2/62

Defendant's Mailing Address:

829 SAINT PETER

NEW ORLEANS, LOUISIANA 70116

Defendant's Residence Address:

(SAME AS ABOVE)

AUGUST 16, 2005

Date of Imposition of Sentence

ALLYNE R. ROSS, U.S.D.J.

AUGUST 16, 2005

Date

A TRUE COPY ATTEST

Date:

ROBERT C. HEINEMANN
CLERK OF COURT

By: _____

DEPUTY CLERK

PROBATION

The defendant is hereby placed on probation for a term of five (5) years.

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

- 1) DEFT SHALL ENTER AN INPATIENT TREATMENT PROGRAM FOR A PERIOD OF 6 MONTHS AT RIVERSIDE SUPPORT CENTER AT A COST OF \$1,200 TO BE FOLLOWED BY A SPECIAL CONDITION OF 6 MONTHS IN A HALFWAY HOUSE PLACEMENT IN NEW ORLEANS. WHILE IN A THE HALFWAY HOUSE, DEFT IS TO ATTEND OUTPATIENT SUBSTANCE ABUSE TREATMENT FOR A MINIMUM OF 3 TIMES PER WEEK. DEFT IS TO BE TESTED DAILY AT THE HALFWAY HOUSE VIA EITHER URINALYSIS OR BREATHALYZER TO DETERMINE IF HE HAS REVERTED TO ALCOHOL AND/OR OTHER DRUG USAGE. DURING THE TERM OF PROBATION, DEFT SHALL ABSTAIN FROM ALL ALCOHOL AND ALL OTHER DRUGS AND PARTICIPATE IN EITHER OUTPATIENT OR INPATIENT TREATMENT AND TESTING AS DIRECTED BY THE PROBATION DEPARTMENT. DEFT SHALL CONTRIBUTE TO THE COST OF SERVICES RENDERED VIA CO-PAYMENT OR FULL PAYMENT IN AN AMOUNT TO BE DETERMINED BY THE PROBATION DEPARTMENT, BASED UPON THE DEFT'S ABILITY TO PAY AND THE AVAILABILITY OF THIRD PARTY PAYMENT.
- 2) DEFT SHALL PARTICIPATE IN A MENTAL HEALTH TREATMENT PROGRAM APPROVED BY THE PROBATION DEPARTMENT. DEFT SHALL CONTRIBUTE TO THE COST OF SERVICES RENDERED OR ANY PSYCHOTROPIC MEDICATIONS PRESCRIBED VIA CO-PAYMENT OR FULL PAYMENT IN AN AMOUNT TO BE DETERMINED BY THE PROBATION DEPARTMENT, BASED UPON THE DEFT'S ABILITY TO PAY AND/OR THE AVAILABILITY OF THIRD PARTY PAYMENT.
- 3) DEFT SHALL NOT POSSESS ANY FIREARMS.
- 4) DEFT IS RESTRICTED FROM TRAVELING ON ANY AIRCRAFT.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

These conditions are in addition to any other conditions imposed by this Judgment.

Defendant: **DAN JENKINS**
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FINE WITH SPECIAL ASSESSMENT

The defendant shall pay to the United States the sum of \$ 100.00, consisting of a fine of \$ N/A and a special assessment of \$ 100.00.

— These amounts are the totals of the fines and assessments imposed on individual counts, as follows:

This sum shall be paid — immediately
— as follows:

XXX The Court has determined that the defendant does not have the ability to pay any fines, cost of confinement or supervision.

— The interest requirement is waived.

— The interest requirement is modified as follows: